

**U.S. District Court
Northern District of Alabama (Northeastern)
CIVIL DOCKET FOR CASE #: 5:18-cv-01312-LCB**

Center for Biological Diversity v. US Fish and Wildlife Service
Assigned to: Judge Liles C Burke
Cause: 05:552 Freedom of Information Act

Date Filed: 08/16/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Center for Biological Diversity

represented by **Amy R Atwood**
CENTER FOR BIOLOGICAL DIVERSITY
P. O. Box 11374
Portland, OR 97322
971-717-6401
Fax: (971) 283-5528
Email: atwood@biologicaldiversity.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Elise Pautler Bennett
CENTER FOR BIOLOGICAL DIVERSITY
P. O. Box 2155
St. Petersburg, FL 33731
727-755-6590
Fax: (503) 283-5528
Email: ebennett@biologicaldiversity.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Mark E Martin
MARK E MARTIN LLC
P O Box 1486
Oneonta, AL 35121
205-516-9350
Email: mmartin@markemartin.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

US Fish and Wildlife Service

represented by **Jay E Town, US Attorney**
US ATTORNEY'S OFFICE
1801 4th Avenue North
Birmingham, AL 35203-2101
244-2001
Email: Caseview.ecf@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mary Lester Marshall
United States Attorneys Office
1801 Fourth Avenue North
Birmingham, AL 35203
205-244-2121
Fax: 205-244-2181

Email: Margaret.marshall@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/16/2018	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against US Fish and Wildlife Service filed by Center for Biological Diversity.(AHI) (Entered: 08/16/2018)
08/16/2018	<u>2</u>	NOTICE Of Assignment of Case to a United States Magistrate Judge for Trial (AHI) (Entered: 08/16/2018)
08/16/2018	<u>3</u>	Corporate Disclosure Statement by Center for Biological Diversity. filed by Center for Biological Diversity (Martin, Mark) (Entered: 08/16/2018)
08/17/2018	<u>4</u>	MOTION for Leave for Amy R. Atwood to Appear <i>Pro Hac Vice</i> by Center for Biological Diversity. (Attachments: # <u>1</u> Declaration)(Martin, Mark) Modified on 8/17/2018 (SPT). (Entered: 08/17/2018)
08/17/2018	<u>5</u>	MOTION for Leave for Elisa Pautler Bennett to Appear <i>Pro Hac Vice</i> by Center for Biological Diversity. (Attachments: # <u>1</u> Declaration)(Martin, Mark) Modified on 8/17/2018 (SPT). (Entered: 08/17/2018)
08/17/2018		Filing Fee: Filing fee \$ 400, receipt_number 1126-3154574 (B4601091383). related document <u>1</u> COMPLAINT for Declaratory and Injunctive Relief against US Fish and Wildlife Service filed by Center for Biological Diversity.(AHI). (Martin, Mark) (Entered: 08/17/2018)
08/17/2018		PHV Fee paid: \$ 50, receipt number 1126-3154581 (B4601091985). (Martin, Mark) (Entered: 08/17/2018)
08/17/2018		PHV Fee paid: \$ 50, receipt number 1126-3154584 (B4601091384). (Martin, Mark) (Entered: 08/17/2018)
08/17/2018	<u>6</u>	TEXT ORDER granting <u>4</u> Motion for Leave to Appear Pro Hac Vice of Amy R. Atwood; granting <u>5</u> Motion for Leave to Appear Pro Hac Vice of Elisa Pautler Bennett. Signed by Magistrate Judge Herman N Johnson, Jr on 8/17/18. (LBG,) (Entered: 08/17/2018)
08/20/2018	<u>7</u>	Summons Issued as to US Fish and Wildlife Service, U.S. Attorney and U.S. Attorney General by Clerk and delivered to Plaintiff for service. (BJL) (Entered: 08/20/2018)
08/22/2018	<u>8</u>	Alias Summons Issued as to US Fish and Wildlife Service, U.S. Attorney and U.S. Attorney General by Clerk and delivered to Plaintiff for service. (BJL) (Entered: 08/22/2018)
09/21/2018	<u>9</u>	NOTICE of Appearance by Mary Lester Marshall on behalf of US Fish and Wildlife Service (Marshall, Mary) (Entered: 09/21/2018)
09/21/2018	<u>10</u>	ANSWER to Complaint by US Fish and Wildlife Service.(Marshall, Mary) (Entered: 09/21/2018)
09/24/2018	<u>11</u>	NOTICE OF CASE REASSIGNMENT: The parties having not unanimously consented to the dispositive jurisdiction by a Magistrate Judge, this case has been randomly reassigned to the Honorable Abdul K. Kallon. Please use case number 5:18-cv-1312-AKK on all subsequent pleadings. (BJL) (Entered: 09/24/2018)
09/25/2018	<u>12</u>	SUMMONS Returned Executed by Center for Biological Diversity. US Fish and Wildlife Service served on 9/4/2018, answer due 9/25/2018. (Attachments: # <u>1</u> Service c/o US Attorney, # <u>2</u> Service c/o Attorney General)(Martin, Mark) (Entered: 09/25/2018)
09/26/2018	<u>13</u>	SUMMONS Returned Executed by Center for Biological Diversity. (Attachments: # <u>1</u> Return served c/o Attorney General, # <u>2</u> Return served c/o US Attorney)(Martin, Mark) (Entered: 09/26/2018)
09/26/2018	<u>14</u>	ORDER SETTING PRETRIAL CONFERENCE AND TRIAL: Rule 26 Meeting Report due by 11/26/2018; Pretrial Conference set for 3/11/2020 at 9:30 AM; Bench

		Trial set for 4/13/2020 at 9:00 AM; in the Hugo L Black US Courthouse, Birmingham, AL before Judge Abdul K Kallon. Signed by Judge Abdul K Kallon on 9/26/2018. (AFS) (Entered: 09/26/2018)
09/27/2018	<u>15</u>	ALND UNIFORM INITIAL ORDER GOVERNING ALL FURTHER PROCEEDINGS reminding parties of their obligations under FRCP26(f) – with appendices attached. Signed by Judge Abdul K Kallon on 9/27/2018. (KSS) (Entered: 09/27/2018)
10/12/2018	<u>16</u>	<i>First Amended</i> ANSWER to <u>1</u> Complaint by US Fish and Wildlife Service.(Marshall, Mary) (Entered: 10/12/2018)
10/29/2018	<u>17</u>	NOTICE OF REASSIGNMENT Case Reassigned to Judge Liles C Burke. Judge Abdul K Kallon no longer assigned to the case. Please use case number 5:18-cv-01312-LCB on all subsequent filings. (AFS) (Entered: 10/29/2018)
10/31/2018	<u>18</u>	ORDER that the pretrial conference set for 3/11/2020, and the trial set for 4/13/2020 are CONTINUED and will be reset at a later date. Signed by Judge Liles C Burke on 10/31/2018. (AHI) (Entered: 10/31/2018)
11/19/2018	<u>19</u>	REPORT of Rule 26(f) Planning Meeting. (Marshall, Mary) (Entered: 11/19/2018)
12/12/2018	<u>20</u>	SCHEDULING ORDER: that certain time limits and deadlines apply as set out in this order; Discovery due by 5/27/2019; Dispositive Motions due by 6/28/2019; Witness and Exhibit Lists due by 7/26/2019; Trial ready by 8/2019. Signed by Judge Liles C Burke on 12/12/2018. (AHI) (Entered: 12/12/2018)
06/19/2019	<u>21</u>	Joint MOTION for Extension of Time <i>to File Dispositive Motions</i> by Center for Biological Diversity. (Attachments: # <u>1</u> Text of Proposed Order)(Bennett, Elise) (Entered: 06/19/2019)